



STAT  
OFFICE OF THE

LETITIA JAMES  
ATTORNEY GENERAL

Writer's I

Application granted. The deadline to file any pre-motion letter and the 56.1 Statement is extended to April 26, 2024.

The telephonic case management conference scheduled for April 3, 2024, is hereby adjourned to May 7, 2024 at 12:00 p.m.

The Clerk of Court is respectfully requested to terminate the motion sequence pending at Doc. 79.

SO ORDERED.

Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
March 13, 2024

Hon. Philip M. Halpern  
United States District Judge  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: Rodriguez v. Burnett, et al., 22-CV-2198 (PH)

Dear Judge Halpern:

I write respectfully on behalf of Defendants to request that the conference currently scheduled for April 3, 2024, at 11:00 am, be adjourned to a date and time after April 26, 2024.

The reason for the requested adjournment is two-fold. First, I recently took over this case from Assistant Attorney General Andrew Blancato who left the Office of the New York State Attorney General. I am defending the previously scheduled deposition of a defendant on April 3, 2024, in a case in which discovery is presently set to close on April 11, 2024. This deposition was scheduled before I was assigned this matter and it would be challenging to reschedule it. Second, it is Defendants' intention to file a pre-motion letter with the Court requesting permission to move for partial summary judgment. Pursuant to the Court's Individual Rules of Practice, later today I intend to mail to Plaintiff a copy of Defendants' Statement Pursuant to Local Rule 56.1, for Plaintiff's review and response. This morning I spoke by phone with Plaintiff and reviewed the Court's Individual Rules with him regarding Your Honor's requirement that the complete Rule 56.1 Statement accompany Defendants' pre-motion letter. Plaintiff consents to adjourning the April 3, 2024 conference, and requests 30 days to respond to the 56.1 Statement. Because of occasional delays inherent in the mailing of materials to and from prison, the parties added two weeks to Plaintiff's 30-day extension, and agreed on the April 26, 2024 date.

This is Defendants' first request for an adjournment of the April 3, 2024 conference.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Neil Shevlin

Neil Shevlin

Assistant Attorney General

Neil.Shevlin@ag.ny.gov

cc: *Pro se* Plaintiff (by First Class mail)

Ralph Rodriguez

DIN # 17A0928

Wallkill Correctional Facility

50 Mc Kendrick Rd.

Wallkill, NY 12589